

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Michael P. Henderson,

Plaintiff,

Civ. No. 10-3098 (RHK/SER)
ORDER

v.

Unknown Police Officer and City of Bloomington,

Defendants.

This matter is before the Court *sua sponte*.

Pro se Plaintiff Michael Henderson alleges in this action that Bloomington police officer Matt Ryan conducted an unauthorized search and seizure of his car, in violation of the Fourth and Fourteenth Amendments to the United States Constitution and Minnesota law. Following discovery, Defendants moved for summary judgment, noticing their Motion for a hearing on April 14, 2011. (See Doc. No. 10.) Under Local Rule 7.1(b)(2), Henderson's opposition to the Motion was due on or before March 24, 2011. In addition, defense counsel wrote Henderson on March 16, 2011, advising him of the deadline for his opposition papers. (See Doc. No. 15.) Despite such notice, Henderson has failed to respond to the Motion.

Based on the foregoing, and all the files, records, and proceeding s herein, **IT IS ORDERED** that the hearing on Defendants' Motion for Summary Judgment (Doc. No. 9), currently scheduled for April 14, 2011, is **CANCELED**. The Court will decide the Motion based on the written record.

The Clerk of the Court is **DIRECTED** to mail a copy of this Order to Michael Henderson, 8720 Clinton Avenue South, Bloomington, Minnesota 55420.

Dated: March 30, 2011

s/Richard H. Kyle

RICHARD H. KYLE

United States District Judge